

EXHIBIT 1

VII. FREEDOM OF INFORMATION ACT REQUEST (9 Total Pages)

FEE WAIVER REQUESTED

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Office of Public Disclosure
Social Security Administration (SSA)
3-A-6 Operations Building
6401 Security Boulevard
Baltimore, MD 21235

Telephone Number: (410) 966-6645
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Dear Freedom of Information Officer:

I am a former reporter for the LA Times, and currently a free lance journalist working on a news story for the National Journal. I am a representative of the news media and am writing to you pursuant to the federal Freedom of Information Act. I request access to, and copies of, records as detailed below. I am making other FOIA requests under separate cover. (Please regard this particular request as "SDW Terminated Cases", or Request VII.) This story for the National Journal will entail, among other things, information received as a result of this request. If you need to contact me about this request, please initiate the contact by email.

Also as detailed below, I request a fee waiver. In the event you deny the fee waiver, I request that you state -- in the notice itself of denial of fee waiver -- the fee applicable to me as a representative of the news media, as well as any other decisions or relevant information about this FOIA request.

As already stated, I was formerly a reporter for the Los Angeles Times, Washington D.C. Bureau, and in fact wrote a lengthy news article on the workings of the Social Security Administration (SSA) -- on this very subject -- appearing in the July 16, 2006 edition. Now I am a free-lance news journalist, and do ad hoc reporting and writing for various news organizations. In this instance, I am working on a news story I expect to be published by the National Journal, where I was a reporter and editor before shifting to the Los Angeles Times.

I expect my FOIA request to be treated as such. As noted below in more detail under my fee waiver request, my intention for the information is as a member of the news media who expects to disseminate the information after review and analysis – that is what I do. I have written, edited, and/or otherwise contributed to many articles on government operations, including SSA operations. Thus I expect you to handle my requests for the information and for a waiver of fees on their own merits.

Note: For Request VII-A, by necessity, I have requested information generically, by describing the common meaning of the information sought. For VII-B and VII-C, I have requested specific formats for the information to be furnished. For example, I refer to codes as used by the agency for the Supplemental Security Record (SSR). In any event, if the agency wishes to present the information in a different format than I have requested, I am amenable to a discussion in this regard. For each of the 2 requests below, I have attached data layout diagrams.

Description of FOIA Requests VII-A through VII-C:

I have three related requests, outlined below, as will be thoroughly described in this paper:

1. Information from the "Special Disability Workload" (SDW) database, or databases if there is more than one, housed by SSA, containing records referring to individuals who have been identified as part of the SDW. They may currently be alive or deceased. If they are deceased, I expect all the information requested without redaction. The database(s) should contain records of all individuals identified to date as part of the SDW, in all "phases", including:
 - those who are presently alive and their Title 2 claims processing is still pending resolution, whether initiated or not;
 - those whose Title 2 claims were processed in the SDW while they were still alive;
 - those receiving SSI at the time of identification for the SDW (or denied or terminated around the same time), but who died before their Title 2 claims processing was initiated or fully resolved by SDW processing;
 - those denied or terminated from SSI sometime further in the past, and later identified as part of the SDW, whether or not they are presently alive.

Back in about 2003, the SDW groups and individuals had only partially been identified, but individuals were estimated to number 500,000 when fully identified. Many of the SSI recipients in the SDW are now deceased -- either they died after being identified for the SDW, or they were deceased (or otherwise denied or terminated from SSI) sometime in the past and are part of a final phase of the SDW to adjudicate the Title II aspects of their claims, even if they were deceased before the SDW was launched.

The database or databases referred to above are used by the agency to keep track of

the records of individuals identified for the SDW. The database(s) should contain information, for example, about when the individual was identified for the SDW; the SDW "phase" (or whatever the current term is) of that individual; the current status of the processing of the individual's Title II claim; the final disposition of their claim, including whether approved and how much was paid; whether denied and the reason for denial; whether screened out and the reason; whether no proper party came forward to pursue the claim on behalf of a deceased individual; and other similar information.

2. Information on these same SSI recipients, as currently shown on SSA's database known as the Supplemental Security Record (SSR);
3. Information on these same SSI recipients, as currently shown on SSA's database known as the Master Beneficiary Record (MBR).

Details of Requests:

Request Number VII-A:

I request an extract of information in records from the SDW database(s). As noted above, the database(s) was/were created specially for controlling the case flow and recording information about SDW cases as they are processed. The original SDW database was housed and maintained by the SSA Philadelphia Regional Office, and may still be to this date.

I am unfamiliar with the terminology -- field names, etc. -- relating to the SDW database(s), as well as its format and structure, so I am requesting the information generically, by description of the information sought. If it would simplify the request and reduce the burden to you, I can arrange to have my consultant/expert communicate directly with the SSA officials responsible for gathering the information sought in this FOIA request. In any event, it is likely you would have to briefly explain the layout of the responsive text file and translation of codes furnished to me.

For example, you may have several one-character or multi-character codes for "disposition of case" similar (but not limited) to: A=pending, not yet in process; B=pending, in process; C=closed and paid; D= closed, no payment due; E=closed, screened out; F=closed, no response from proper applicant; and dates for each of the relevant actions, etc. We would obviously need to know where in the record these codes are found, and their translation.

In light of the above considerations, I request the following for VII-A, including a translation of codes used:

- Social security number (SSN) of deceased individual or alternative identifier if alive;
- Date identified as part of the SDW -- this could be the date of accretion to the SDW database;
- Phase (or group identifier if that term is no longer used) of the SDW the individual

- belongs to;
- Whether attempt has been made to identify "proper party" to pursue claim on behalf of individual;
 - and date of above;
- Whether proper party is pursuing claim on behalf of individual;
 - and date of above;
- Disposition of SDW case;
 - and date of above;
- Reason for denial, screen-out, etc.;
- Amount determined to be owed to individual/estate;
 - and date of determination;
- Amount paid to individual/estate;
 - and date paid.

Request Number VII-B:

I request an extract – described below and in the attached data layout diagram – of *current* records on the same beneficiaries identified in the SDW database(s), as housed on SSA's database known as the Supplemental Security Record (SSR).

I am seeking an extract of information from the SSR on those SSI recipients who were identified on the aforementioned SDW database(s). All references are to the latest SSI record, should there be more than one record on the SSR for any given recipient. From these records, I seek the following information. As noted, spaces should be used as filler for the fixed-width format when the data is missing, blank, or not relevant:

I request the following information from the SSR, latest record on SSI recipient:

- Social security number of deceased individual or alternative identifier if alive;
- Current Type of Master Record (2-character code used by agency for its displays, e.g., "DE" for disabled individual with eligible spouse, is acceptable)
- 5-numeral zip code
- SSI application date (mmddyy)
- Most recent state and county code (5 numerals)
- SSI current payment status code (3-character code used by agency for its displays, e.g., "T51" (for terminated record, no previous payment made), is acceptable)
- Ledger Account File (LAF) code of the aged, blind or disabled individual (1 or 2-character code used by agency for its displays, e.g., "C" for current pay, is acceptable)
- Date of Birth (mmddccyy)
- Date of Death (mmddccyy)
- Most recent Federal SSI Payment Level shown while individual was still in current pay status (dollars and cents, ddddec)
- Date of Federal SSI Payment Level noted above (mmyy)
- Most recent Federally Administered State SSI Payment Level shown while individual was still in current pay status (dollars and cents, ddddec)

- Date of Federally Administered State SSI Payment Level noted above (mmyy)

Request Number VII-C:

I request an extract – described below and in the attached data layout diagram – of *current* information on the same beneficiaries identified in the Access database, as housed on SSA's database known as the Master Beneficiary Record (MBR).

I am seeking an extract of information from the MBR on those SSI recipients who were identified on the aforementioned SDW database(s). All references are to all active MBR record(s) associated with the recipient (i.e., the recipient's SSN is shown on the MBR under the Beneficiary's Own Account Number – "BOAN" field), should there be more than one record on the MBR for any given recipient. From these records, I seek the following information. As noted, spaces should be used as filler for the fixed-width format when the data is missing, blank, or not relevant:

I request the following current information from each active MBR record associated with the SSI recipient's BOAN. If the recipient has no record on the MBR, then the SSN should simply be followed by spaces:

- SSN (BOAN) of deceased individual or alternative identifier if alive;
- Date of birth (8 characters, mmddccyy)
- Sex (1 character)
- Initial Date of Entitlement (4 characters, mmyy)
- Current Date of Entitlement (4 characters, mmyy)
- Ledger Account File (LAF) Code (2 characters)
- Beneficiary Identification Code (BIC) (2 characters)
- Most recent payment level shown in MBR "History" while individual was still in current pay status (6 characters, dollars and cents, ddddec)
- Date of most recent payment level shown in MBR "History" while individual was still in current pay status (mmyy)
- Beneficiary date of death (8 characters, mmddccyy)

Each of these files -- SDW database, SSR, and MBR extracts -- should be furnished to me in a format similar to SSA's Master Death Index, i.e., a fixed-width text file, one row of data per SSN.

The three files -- the three text files -- should be copied to CD-ROM or DVD. If necessary or helpful, the data may be compressed using standard file compression (such as used for SSA's Master Death Index on DVD).

Fee waiver requested; major public benefit to be obtained by release of information:

I request a waiver of fees. To reiterate a point made earlier, if you deny this fee waiver, I request that the denial notice contain the specific fees you deem applicable, and any other relevant statements.

As more specifically described further on, this data will shed light on government operations and be of great value to the public with respect to the administering of benefit programs by the Social Security Administration (SSA). For many years, my unpaid consultant, Mr. Cooley, worked with "individual level data" in SSA's databases to reveal large groups of shortchanged beneficiaries and claimants -- as well as beneficiaries who were overpaid tens of millions of taxpayer dollars. These groups were completely overlooked by SSA in both its payment of benefits and in any summary reports, statistics, surveys, and the like. In fact, SSA officials denied the existence of these groups.

It is of interest not only to those beneficiaries and claimants directly involved in the information, who may have been underpaid or overpaid government benefits, but also to the public at large -- the public as taxpayers, and/or as people who have, or will have, dealings with the Social Security Administration.

As a representative of the news media -- and for this current project I expect publication in the National Journal -- I have the intention and means to review and assess the information you provide about government operations, and present it to the general public. I have expert technical assistance I can call upon, and can interpret the information for a general audience, add relevant facts, and disseminate the information in layman's terms to a broad spectrum of readers, as I have done many times in the past. As noted earlier, this is what I do.

Among many Los Angeles Times stories on government operations, I researched and wrote the story titled "He Wants No Good Deed to Go Unpaid" for the July 16, 2006 edition, specifically concerning errors in SSA operations and a group of underpaid beneficiaries, and how they were uncovered. In fact, that article was about the origins of the SDW, the very topic whose later developments are partly addressed by this FOIA request. As with many other stories I've worked on, that story involved a great deal of very technical information that had to be sorted through for a proper understanding by the general public.

I intend to use this information to assess and publicize how well the government is administering Title XVI of the Social Security Act, Supplemental Security Income For Aged, Blind, And Disabled (42 U.S.C. Chapter 7, Subchapter XVI), and its interaction with Title II, Federal Old-Age, Survivors, And Disability Insurance Benefits (42 U.S.C. Chapter 7, Subchapter II). In particular, I intend to use this information to assess and publicize how well SSA is proceeding on the Special Disability Workload.

By using this information, I will be able to shed light in areas little known to the public, but of great importance to the beneficiaries and/or their estates improperly underpaid.

Among other things, I intend to bring to the public attention and publicize information about SSA's attempts to locate "proper applicants" to pursue Title II claims on behalf of deceased SSI recipients.

In assembling information about actual members of the public who are affected by these government programs and SSA actions, it is quite clear that this would be new, currently unavailable information for the public.

In event of whole or partial denial of request:

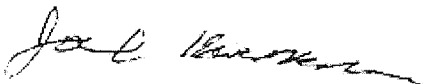
If my Request VII is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information, or to deny a waiver of fees, or to deny my status as a representative of the news media, and/or to charge what I consider an excessive fee.

As noted, in the event you deny the fee waiver, I request that you state -- in the notice itself of denial of fee waiver -- the fee applicable to me as a representative of the news media, as well as any other decisions or relevant information about this FOIA request.

I look forward to your reply within 20 business days, along with all other accommodations, as the statute, including the amendments effective 12/31/08, requires. I expect to be assigned a tracking number and be provided a liaison for purposes of telephone status requests, or an equivalent web site.

As noted earlier, if you need to contact me about this request, please initiate the contact by email, including details about your questions. Please see attached pages for further description of the requested format. Thank you for your assistance.

Sincerely,



Joel Havemann

Requested Data Layout, Request Number VII-B

(Note: There is no similar "requested data layout" for request VII-A; that request is described above on page 3)

From the Supplemental Security Record (SSR), most recent record of deceased SSI recipient

Record Location	Field Description	Field Size
01-09	Social Security Number (SSN) of SDW Individual (or equivalent individual identifier)	9
10-11	Current Type of Master Record (2-character code used by agency for its displays)	2
12-16	5-numeral zip code	5
17-22	SSI application date (mmddyy)	6
23-27	Most recent state and county code (5 numerals)	5
28-30	SSI current payment status code (3-character code used by agency for its displays)	3
31-32	Ledger Account File (LAF) code of recipient (1 or 2-character code used by agency for its displays, e.g., "C" for current pay, is acceptable)	2
33-40	Date of Birth (mmddccyy)	8
41-48	Date of Death (mmddccyy)	8
49-54	Most recent Federal SSI Payment Level shown while individual was still in current pay status (dollars and cents, ddddcc)	6
55-58	Date of Federal SSI Payment Level noted above (mmyy)	4
59-64	Most recent Federally Administered State SSI Payment Level shown while individual was still in current pay status (dollars and cents, ddddcc)	6
65-68	Date of State SSI Payment Level noted above (mmyy)	4

Each record would be listed, line by line, in a fixed-width format.

Example of how first several fields in fixed-width text file would appear, with spaces as filler:

```
889887777DI4808904058931277T01T0112719520908198904433009890032400989
899881235DI0435711309503471T01N 092719441122199202974011920000001192
899893547AI0342508228547462T01T0041119331217199500000012950000001295
(...and continuing)
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Requested Data Layout, Request Number VII-C

From the Master Beneficiary Record (MBR), most recent RSDHI record of deceased SSI recipient

Record Location	Field Description	Field Size
01-09	Social Security Number (SSN/BOAN) of SDW individual (or equivalent individual identifier)	9
10-17	Date of Birth (mmddccyy)	8
18	Sex of Beneficiary (M or F, or U if unknown)	1
19-20	Ledger Account File (LAF) Code	2
21-22	Beneficiary Identification Code (BIC)	2
23-26	Initial Date of Entitlement (mmyy)	4
27-30	Current Date of Entitlement (mmyy)	4
31-36	Most recent payment level shown in MBR "History" while individual was still in current pay status (6 characters, dollars and cents, dddccc)	6
37-40	Date of most recent payment level shown in MBR "History" while individual was still in current pay status (mmyy)	4
41-48	Beneficiary Date of Death (mmddccyy)	8

Example of how fixed-width text file would appear, spaces as filler:

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88988777707151943MC C112001200042100120002132001
89988123509271940FT6W 100510050000000000005171995
89989354712231929MT1A 048904890000000000011291987
(...and continuing)

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